

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

DESHAWN TYSON,
Plaintiff,

v.

BIANCA ALVAREZ, et al.,
Defendants.

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PRISONER CASE NO.
3:17-cv-731 (JCH)

NOVEMBER 26, 2018

**RULING ON MOTIONS FOR SANCTIONS (DOC. NO. 124), MOTION FOR
CONTEMPT (DOC. NO. 125), AND MOTION TO COMPEL (DOC. NO. 126)**

Plaintiff, Deshawn Tyson (“Tyson”), has filed three motions in which he complains that the defendants have not complied with the certification requirement in Federal Rule of Civil Procedure 5(b) and 5.1(d).

In his Motion for Sanctions, Tyson states that the defendants have not complied with the certification requirement “under the false pretense that it is ‘due to the difficulty of trying to get into contact with the pro se plaintiff.’” Doc. No. 124 at 1. Rule 5 requires the defendants to serve a copy of any document they file with the court. The rule does not require that the defendants speak with Tyson before filing a document. Thus, Tyson’s Motion for Sanctions (Doc. No. 124) is denied.

In his Motion for Contempt, Tyson states that the defendants have not once complied with the certification requirements. Rule 5.1 applies when the case challenges the constitutionality of a federal or state statute. As Tyson asserts no such challenge, rule 5.1 does not apply in this case. Tyson states that the defendants have not once served any documents on him. The record, however, calls this statement into question.

For example, on July 10, 2018, Tyson filed his Opposition to the defendants' Motion to Dismiss. Doc. No. 70. In his Memorandum, he questions the form of the Motion showing that Tyson had received a copy of the documents filed. Accordingly, Tyson's Motion for Contempt (Doc. No. 125) is denied.

In his Motion to Compel, filed pursuant to Federal Rule of Civil Procedure 7.1, Tyson asks the court to order the defendants comply with Federal Rules of Civil Procedure 5(b) and 5.1(d) by serving him copies of any motions they file. Rule 7.1 concerns filing disclosure statements by nongovernmental corporations. As no defendant is a nongovernmental corporation, this rule is not applicable. Tyson's Motion to Compel (Doc. No. 126) is denied.

SO ORDERED.

Dated this 26th day of November 2018 at New Haven, Connecticut.

/s/ Janet C. Hall
Janet C. Hall
United States District Judge